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Attorneys for Plaintiffs  
REGINA GONZALES GOMEZ and  
FIDEL GUERRERO COMOFORT

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

REGINA GONZALES GOMEZ, and  
FIDEL GUERRERO COMOFORT,  
individually and on behalf of others  
similarly situated,

Plaintiffs,

vs.

FERNANDEZ BROTHERS, INC. and  
DOES 1 through 10,

Defendants.

Case No. 5:17-cv-01863-EJD

~~PROPOSED~~ ORDER GRANTING  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT

Date: May 24, 2018  
Time: 9:00 a.m.  
Ctvm: 4

The motion of plaintiffs Regina Gonzales Gomez and Fidel Guerrero Comofort ("Plaintiffs") for an order granting final approval of the class action settlement (the "Settlement") reached with defendant Fernandez Brothers, Inc. ("Defendant"), that was preliminarily approved by the Court on January 3, 2018, came regularly on for hearing. Good cause having been shown, Plaintiffs' motion is GRANTED and IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1  
2       1.     The Court grants final approval of the Settlement and finds the terms of the  
3 Settlement to be fair, reasonable and adequate under Rule 23(e) of the Federal Rules of  
4 Civil Procedure, including the amount of the settlement fund; the amount of  
5 distributions to class members; the procedure for giving notice to class members; the  
6 procedure for objecting to or opting out of the Settlement; and the maximum amounts  
7 allocated to an incentive payment, costs and attorney's fees.

8       2.     The Court certifies for settlement purposes the Settlement Class described  
9 in the Settlement, comprised of all persons who, at any time between April 4, 2013 and  
10 September 14, 2017, worked for Defendant as a seasonal agricultural worker who  
11 performed field work harvesting strawberries.

12       3.     The Court finds that class members were provided proper and adequate  
13 notice of their rights in a manner that satisfies the requirements of due process.

14       4.     The Court orders that all class members who did not timely file a request  
15 for exclusion from the Settlement are barred from prosecuting against the Released  
16 Parties any and all released claims as set forth in the Settlement.

17       5.     The Court orders that Defendant make a payment into the settlement fund,  
18 in accordance with the procedures set forth in the Settlement, of the amount needed to  
19 fund all amounts payable under the Settlement.

20       6.     The Court orders payment from the settlement fund of settlement  
21 administration fees to Atticus Administration in the amount of \$10,000 in accordance  
22 with the procedures set forth in the Settlement.

23       7.     The Court awards Plaintiffs the amount of \$320,000 for reasonable  
24 attorney's fees, to be paid from the settlement fund in accordance with the procedures  
25 set forth in the Settlement.

26       8.     The Court awards Plaintiffs the amount of \$5,108.12 for reasonable  
27 litigation costs, to be paid from the settlement fund in accordance with the procedures  
28 set forth in the Settlement.



1        8.        The Court awards Plaintiffs the amount of \$10,000 each as a class  
2 representative enhancement payment, to be paid from the settlement fund in accordance  
3 with the procedures set forth in the Settlement.

4        9.        The Court directs that this order be entered as a final judgment dismissing  
5 the action with prejudice.

6        10.       The Court orders that, notwithstanding entry of final judgment, the Court  
7 shall retain jurisdiction in this matter for the purposes of interpreting or enforcing the  
8 Settlement or final judgment.

9  
10  
11 Dated: May 24, 2018

  
United States District Judge